

3/21/18

2:45 p.m.

Chapter No. 411  
18/HR26/R1116SG  
END / CST

## ***HOUSE BILL NO. 1288***

Originated in House  Clerk

HOUSE BILL NO. 1288

AN ACT TO AMEND SECTION 45-1-29, MISSISSIPPI CODE OF 1972, TO CLARIFY THE LIST OF PERSONS REQUIRED TO PAY LABORATORY ANALYSIS FEES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 45-1-29, Mississippi Code of 1972, is amended as follows:

45-1-29. (1) The Mississippi Forensics Laboratory shall be funded separately from the Department of Public Safety. Any appropriated funds shall be maintained in an account separate from any funds of the Department of Public Safety and shall never be commingled with any funds of the department. However, nothing in this section shall be construed to prohibit the utilization of the combined resources of the Mississippi Forensics Laboratory, the Division of Support Services of the Department of Public Safety or the Mississippi Justice Information Center to efficiently carry out the mission of the Department of Public Safety.

(2) Grants and donations to the Forensics Laboratory may be accepted from individuals, the federal government, firms,

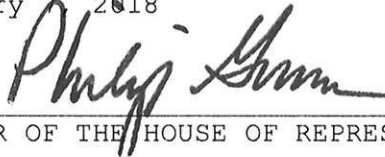
corporations, foundations and other interested organizations and societies.

(3) The Commissioner of Public Safety shall establish and the Division of Support Services of the Department of Public Safety shall collect for services rendered proper fees commensurate with the services rendered by the Forensics Laboratory. Those fees shall be deposited into a special fund in the State Treasury to the credit of the Forensics Laboratory and expended in accordance with applicable rules and regulations of the Department of Finance and Administration. Those fees may be used for any authorized expenditure of the Forensics Laboratory except expenditures for salaries, wages and fringe benefits.

(4) Upon every individual convicted of a felony or misdemeanor, every individual who is nonadjudicated on a felony or misdemeanor case under Section 99-15-26 or 63-11-30(14), and every individual who participates in a pretrial intervention program established under Section 99-15-101 et seq., in a case where the Forensics Laboratory provided forensic science or laboratory services in connection with the case, the court shall impose and collect a separate laboratory analysis fee of Three Hundred Dollars (\$300.00), in addition to any other assessments and costs imposed by statutory authority, unless the court finds that undue hardship would result by imposing the fee. All fees collected under this section shall be deposited into the special fund of the Forensics Laboratory created in subsection (3) of this section.

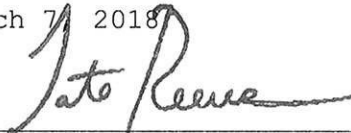
**SECTION 2.** This act shall take effect and be in force from and after July 1, 2018.

PASSED BY THE HOUSE OF REPRESENTATIVES  
February 7, 2018



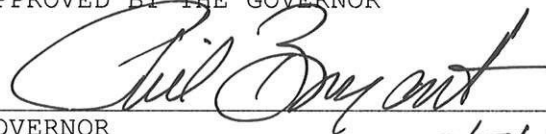
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 7, 2018



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

3/21/18

J:FS